4-1-05

#### THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/828,975

Art Unit:

1645

Applicants:

Ren et al.

Examiner:

Not Yet Assigned

Date Filed:

April 21, 2004

Conf. No.

Not Yet Assigned

Docket No.

110313.136US2

Cust. No.

23483

Title:

Sperm-Specific Cation Channel, CatSper2, and Uses Therefor

### **CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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### INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants and their legal representatives hereby make of record on the attached PTO Form-1449 the following publications. Copies of all cited references are enclosed.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b)(3) before the mailing date of a first Office Action on the merits, therefore no fee is due. I hereby state under 37 C.F.R. § 1.97 (e)(1) that certain items of information contained in this Information Disclosure Statement were cited in a communication (copy enclosed) from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In this regard, it is requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.

U.S. Patent Appln. No. 10/828,975 Information Disclosure Statement

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

No fees are believed to be due in connection with this matter; however, please charge any fees that might be due to Deposit Account No. <u>08-0219</u>.

Date: March 31, 2005

Respectfully submitted,

Lisa N. Geller, Ph.D. Reg. No. 51,726

Attorney/Agent for Applicants

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